

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to FIG. 4. This sheet, which includes FIG. 4, replaces the original sheet including FIG. 4. In the attached sheet, the previously omitted legend -- FIG. 4 -- has been added.

Attachment: REPLACEMENT SHEET

REMARKS

For convenience, the matters raised in the action of January 6, 2009 are discussed below in the same order as presented by the Examiner.

As requested in item 1 of the action, a replacement sheet showing corrected Fig. 4 is submitted herewith. The correction is the addition of the notation - Fig. 4 - to the drawing.

The matter raised in item 2 of the action was corrected in the Preliminary Amendment dated March 10, 2006. Specifically, the Brief Description of the Drawings was amended to include a description of Figures 2-4.

In response to the restriction requirements set forth in the item 3 of the action, Group I, comprising claims 16 - 23, are elected with traverse. The restriction is traversed for the following reasons.

The restricted patent claims are linked so as to form a single general inventive concept since patent claim group 16 - 23 refers to a method for gluing wood fibers and patent claims 24 - 33 refers to an apparatus for performing the method. The common technical feature between the claimed method and the claimed apparatus is to apply glue at a pressure of from about 15 bar to about 250 bar and a flow of more than 1 L/minute.

In support of the restriction, the Examiner cites the teachings in US patent 4,572,845. Although the cited patent discloses operation at a pressure of about 40 bar, it does not provide a pertinent flow rate teaching in respect to the glue. The glue flow rate is not a result effective variable since fibers may be glued together with a broad range of differing glue concentrations at any particular production rate. Accordingly, there is no suggestion of the combined operating conditions set forth in the method claims and as such operating conditions are deemed to be a special technical feature which defines over the prior art.

For the foregoing reasons, it is requested that the restriction requirement be reconsidered and withdrawn.

The foregoing remarks and accompanying drawing are responsive to all of the matters raised in the action. Accordingly, it is requested that the restriction requirement be withdrawn and that all the claims presently record be further examined.

If there are any fees required by this amendment,
please charge the same to Deposit Account No. 16-0820,
Order No. BARD-39578.

Respectfully submitted,

By: 
Joseph J. Corso, Reg. No. 25845

1801 East Ninth Street
Suite 1200
Cleveland, Ohio 44114-3108

(216) 579-1700

February 6, 2009